

BLOCKBUSTER'S FINAL INVALIDITY CONTENTION

APRIL 11, 2007

U.S. PATENT NO. 6,584,450 B1

EXHIBIT K

CLAIM CHART (Claims 51 through 65)

Elements of Claims 51 through 65	Prior Art Disclosure
Claim 51	
An apparatus for renting items to customers comprising:	<p>51¹. <i>Reference Guide</i>: pp. 61, 115, 121-123, 177, 181, 192² <i>Functional Requirements</i>: C.01, C.02, C.04, C.05 and C.06. <i>Maxcess</i>: pp1-3. <i>Sirsi</i>: pp.243-246. <i>Auto Librarian</i>: Figs. 1, 2, 3 and 4, pp. 235-243.</p> <p><i>Yoshida</i>: Figs. 1, 8a, 8b, 8c, 8d and 9, col. 6, ln. 24–col. 7, ln. 11; col. 10, ln. 13–col. 14, ln. 15. <i>Kuriyama</i>: Figs. 7 and 10, col. 4, lns. 24–col. 6, ln. 64. <i>Koya</i>: Figs. 1a, 1b, 4a, 4b and 6, col. 4, ln. 35–col. 8, ln. 30. <i>Crook</i>: Figs. 1-12 and 15, col. 4, lns. 15–col. 19, ln. 30. <i>Isobe</i>: Figs. 1, 2, 5 and 6, col 1, ln. 63–col. 4, ln. 5.</p>

¹ By citing prior art or the preamble of the claims listed herein, Blockbuster is not admitting that the preamble of the claims should be considered limitations.

² The specific citation to a portion of a reference is provided to indicate that it is Blockbuster's present knowledge or belief that the cited portion contains invalidating prior art, which shall not be construed as to suggest that it is the only portion that contains invalidating prior art.

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	<p><i>Siefert</i> '526: Figs. 39-40, col. 17, lns. 13-23.</p> <p><i>Burks</i>: Fig. 2-6, col. 7, ln. 51- col. 21, ln. 63. <i>Hironori</i>: Fig.1, para. 0011-0017.</p> <p><i>Morales</i>: Fig. 6, col. 7, ln. 32-col. 8, ln. 30. <i>Hendricks</i>: Figs. 16 and 21, col. 34, ln. 51-col. 35, ln. 36; col. 38, lns 5-35. <i>Saigh</i>: Fig. 9, col. 11, ln. 18-col. 12, ln. 67. <i>Ginter</i>: Fig. 72A-C, D, col. 263, ln. 10-col. 264, ln. 42.</p> <p><i>Cook</i>: Fig. 1, col. 4, ln. 8-col. 7, ln. 45. <i>Fein</i>: Figs. 6A-6D, col. 5, ln. 1-col. 10, ln. 19. <i>Leason</i>: Figs. 2A and 5A, col. 5, ln. 26-col. 11, ln. 48. <i>Video Vendor Services, Video Vendor User Manual</i>, pp. 20-21.</p> <p><i>Bakoglu</i>: Figs. 1-3, col. 2, ln. 46-col. 4, ln. 37. <i>McMullan</i>: Figs. 10-11, col. 17, ln. 61-col. 18, ln. 11.</p> <p><i>Multi Video Services, Multi Video Article</i>, pp. 22-23. <i>Pop*Card Services, Pop*Card Article No. 1</i>, pp. 146-147. <i>Video Hit Services, Video Hit Article</i>, p. 9. <i>Cine Club Services, Cine Club Article No. 1</i>, p. 8. <i>Campus Video Services, Campus Video Article</i>, bottom of mid. col.</p> <p><i>AudioQueue Services, AudioQueue Catalog No. 1</i>, p. 65. <i>AudioQueue document Nos. 1-20</i> <i>BVS document Nos. 1-8</i> <i>Books On Tape document Nos. 1-15 and source code</i> <i>Pop*Card document Nos. 1-9 and video Nos. 1-3</i> <i>BTCC</i> <i>Business Training Library Services, Business Training Library Web Pages</i>, pp. BB00013049-51.</p>

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	<p><i>Talking Book World Services, Talking Book World Article</i>, pp 1-2 <i>Books on Tape Services, Books on Tape Web Pages No. 1</i>, pp. BB00012211-13, <i>Books on Tape Web Pages No. 2</i>, pp. BB00013037-46.</p> <p><i>Avis Services, Avis Article</i>, p. 6, <i>Avis 1997 Web Pages</i>, pp. BB00011942-47. <i>TiVo Services, TiVo Report</i>, pp. 38-41. <i>Bradley</i>, Figs. 3A, 3B and 7, col. 11, ln. 3 – col. 17, ln. 25. <i>Netflix Services, Netflix Web Pages No. 1</i>, pp. BB00013060-63.</p>
one or more processors;	<p>51a. <i>Burks</i>: Fig. 2-6, col. 7, ln. 51– col. 21, ln. 63. <i>Hironori</i>: Fig.1, para. 0011–0017.</p>
and a memory communicatively coupled to the one or more processors,	<p>51b. <i>Burks</i>: Fig. 2-6, col. 7, ln. 51– col. 21, ln. 63. <i>Hironori</i>: Fig.1, para. 0011–0017.</p>
the memory including one or more sequences of one or more instructions which, when executed by the one or more processors, cause the one or more processors to perform the steps of:	<p>51c. <i>Burks</i>: Fig. 2-6, col. 7, ln. 51– col. 21, ln. 63. <i>Hironori</i>: Fig.1, para. 0011–0017.</p>
receiving one or more item selection criteria that indicates two or more items that a customer desires to rent;	<p>51d. <i>See</i> Contention 1a.</p>
providing to the customer up to a specified number of the two or more items indicated by the one or more item selection criteria;	<p>51e. <i>See</i> Contention 1b.</p>
and in response to receiving any of the items	<p>51e. <i>See</i> Contention 1c.</p>

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provided to the customer, providing to the customer one or more other items indicated by the one or more item selection criteria,	
wherein a total current number of items provided to the customer does not exceed the specified number.	51f. <i>See</i> Contention 1d.
Claim 52	
An apparatus as recited in claim 51,	52. <i>See</i> Contention 51.
wherein the total number of items provided to the customer within a specified period of time does not exceed a specified limit.	52a. <i>See</i> Contention 2a.
Claim 53	
An apparatus as recited in claim 52,	53. <i>See</i> Contention 52.
wherein the memory further includes one or more sequences of one or more instructions which, when executed by the one or more processors, cause the one or more processors to perform the step of:	53a. <i>See</i> Contention 51c.
if the total number of items provided to the customer within the specified period of time is less than the specified limit, then increasing the specified limit for another specified period of time.	53b. <i>See</i> Contention 3a.
Claim 54	
An apparatus as recited in claim 51,	54. <i>See</i> Contention 51.

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wherein the one or more item selection criteria indicates a desired order for the two or more items that a customer desires to rent,	54a. <i>See</i> Contention 4a.
the step of providing to the customer up to a specified number of the two or more items indicated by the one or more item selection criteria includes providing to the customer up to a specified number of the two or more items indicated by the one or more item selection criteria in the desired order indicated by the one or more item selection criteria,	54b. <i>See</i> Contention 4b.
and the step of providing to the customer one or more other items indicated by the one or more item selection criteria includes providing to the customer one or more other items indicated by the one or more item selection criteria in the desired order indicated by the one or more item selection criteria.	54c. <i>See</i> Contention 4c.
Claim 55	
An apparatus as recited in claim 54,	55. <i>See</i> Contention 54.
wherein the memory further includes one or more sequences of one or more instructions which, when executed by the one or more processors, cause the one or more processors to perform the step of	55a. <i>See</i> Contention 51c.

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if a particular item from the two or more items indicated by the one or more item selection criteria is not available, then providing another item from the two or more items based upon the desired order indicated by the one or more item selection criteria.	55b. <i>See</i> Contention 5a.
Claim 56	
An apparatus as recited in claim 51,	56. <i>See</i> Contention 51.
wherein the one or more item selection criteria specifies one or more preferred item attributes,	56a. <i>See</i> Contention 6a.
the step of providing to the customer up to a specified number of the two or more items indicated by the one or more item selection criteria includes automatically selecting and providing to the customer up to a specified number of two or more items that have one or more of the one or more preferred item attributes specified by the one or more item selection criteria,	56b. <i>See</i> Contention 6b.
and the step of providing to the customer one or more other items indicated by the one or more item selection criteria includes automatically selecting and providing to the customer one or more other items that have one or more of the one or more preferred item attributes specified by the one or more item selection criteria.	56c. <i>See</i> Contention 6c.

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Claim 57	
An apparatus as recited in claim 51,	57. <i>See</i> Contention 51.
further comprising: establishing, based upon the one or more item selection criteria, an item rental queue for the customer,	57a. <i>See</i> Contention 7a.
wherein the item rental queue contains one or more entries that specify the two or more items that the customer desires to rent;	57b. <i>See</i> Contention 7b.
and in response to receiving back any of the items provided to the customer, selecting the one or more other items from the item rental queue.	57c. <i>See</i> Contention 7c.
Claim 58	
An apparatus as recited in claim 51,	58. <i>See</i> Contention 51.
further comprising in response to receiving a customer notification, providing to the customer a second set of one or more other items indicated by the one or more item selection criteria.	58a. <i>See</i> Contention 8a.
Claim 59	
An apparatus as recited in claim 51,	59. <i>See</i> Contention 51.
further comprising in response to expiration of a specified amount of time, providing to the customer a second set of one or more	59a. <i>See</i> Contention 9a.

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other items indicated by the one or more item selection criteria.	
Claim 60	
An apparatus as recited in claim 51,	60. <i>See</i> Contention 51.
further comprising in response to a specified date being reached, providing to the customer a second set of one or more other items indicated by the one or more item selection criteria.	60a. <i>See</i> Contention 10a.
Claim 61	
An apparatus as recited in claim 51,	61. <i>See</i> Contention 51.
further comprising in response to a specified fee being received, providing to the customer a second set of one or more other items indicated by the one or more item selection criteria.	61a. <i>See</i> Contention 11a.
Claim 62	
An apparatus as recited in claim 51,	62. <i>See</i> Contention 12.
wherein items are provided to the customer by mail.	62a. <i>See</i> Contention 12a.
Claim 63	
An apparatus as recited in claim 51,	63. <i>See</i> Contention 51.
wherein items are provided to the customer	63a. <i>See</i> Contention 13a.

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by a delivery agent.	
Claim 64	
An apparatus as recited in claim 51,	64. <i>See</i> Contention 51.
wherein: the two or more items are two or more movies,	64a. <i>See</i> Contention 14a.
the one or more item selection criteria are one or more movie selection criteria,	64b. <i>See</i> Contention 14b.
the step of receiving one or more item selection criteria that indicates two or more items that a customer desires to rent includes receiving one or more movie selection criteria that indicates two or more movies that a customer desires to rent,	64c. <i>See</i> Contention 14c.
the step of providing to the customer up to a specified number of the two or more items indicated by the one or more item selection criteria includes providing to the customer up to a specified number of the two or more movies indicated by the one or more movie selection criteria,	64d. <i>See</i> Contention 14d.
and the step of in response to receiving any of the items provided to the customer, providing to the customer one or more other items indicated by the one or more item	64e. <i>See</i> Contention 14e.

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selection criteria, wherein a total current number of items provided to the customer does not exceed the specified number includes in response to receiving any of the movies provided to the customer, providing to the customer one or more other movies indicated by the one or more movie selection criteria, wherein a total current number of movies provided to the customer does not exceed the specified number.	
Claim 65	
An apparatus as recited in claim 51,	65. <i>See</i> Contention 51.
wherein: the two or more items are two or more games,	65a. <i>See</i> Contention 15a.
the one or more item selection criteria are one or more game selection criteria,	65b. <i>See</i> Contention 15b.
the step of receiving one or more item selection criteria that indicates two or more items that a customer desires to rent includes receiving one or more game selection criteria that indicates two or more games that a customer desires to rent,	65c. <i>See</i> Contention 15c.
the step of providing to the customer up to a specified number of the two or more items indicated by the one or more item selection criteria includes providing to the customer up to a specified number of the two or more	65d. <i>See</i> Contention 15d.

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games indicated by the one or more game selection criteria,	
and the step of in response to receiving any of the items provided to the customer, providing to the customer one or more other items indicated by the one or more item selection criteria, wherein a total current number of items provided to the customer does not exceed the specified number includes in response to receiving any of the games provided to the customer, providing to the customer one or more other games indicated by the one or more game selection criteria, wherein a total current number of games provided to the customer does not exceed the specified number.	65e. <i>See</i> Contention 15e.